

TASER INTERNATIONAL, INC., ETAL

Plaintiff(s)

- against -

Index # 1:10-CV-03108-JOF

Court Date January 21, 2011

MORGAN STANLEY &amp; CO., INC., ETAL

Defendant(s)

**AFFIDAVIT OF SERVICE**

Witness Fee Tendered: \$84.00

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

DAVID KLEINBERG BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on November 2, 2010 at 02:39 PM at

9 EILEEN COURT  
COMMACK, NY 11725

deponent served the within SUBPOENA TO TESTIFY AT A DEPOSITION OR TO PRODUCE DOCUMENTS IN A CIVIL ACTION on LINDA L. MESSINGER therein named,

**SUITABLE AGE** by delivering thereat a true copy of each to DON MESSINGER a person of suitable age and discretion. Said premises is Respondent's dwelling house within the state. He identified himself as the HUSBAND of the Respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	WHITE	BROWN/GRAY/BALDING	45	5'8	175

**MAILING** Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Respondent at the Respondent's last known residence at

9 EILEEN COURT  
COMMACK, NY 11725

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on November 2, 2010 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Respondent in this action.

Sworn to me on: November 4, 2010

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Expires February 10, 2014

JOSEPH KNIGHT  
Notary Public, State of New York  
No. 01KN617824  
Qualified In New York County  
Expires November 26, 2011

JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Expires December 4, 2010

  
**DAVID KLEINBERG**

Invoice #: 519932

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a true and correct copy of the foregoing **AFFIDAVIT OF SERVICE** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

**Attorneys for Defendants:**

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[rsinkfield@rh-law.com](mailto:rsinkfield@rh-law.com)

Further, I hereby certify that on this day, I caused to be served a true and correct copy of the foregoing via United States mail on:

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This 19th day of November, 2010.

/s/ Michael A. Caplan

Michael A. Caplan  
Georgia Bar No. 601039